

House Bill 806

By: Representatives Abdul-Salaam of the 74th, Heckstall of the 62nd, Jordan of the 77th, and Sinkfield of the 60th

A BILL TO BE ENTITLED
AN ACT

1 To amend an Act creating the Clayton County Board of Commissioners, approved
2 February 8, 1955 (Ga. L. 1955, p. 2064), as amended, particularly by an Act approved
3 February 19, 1992 (Ga. L. 1992, p. 4335), by an Act approved March 30, 1993 (Ga. L. 1993,
4 p. 4335), and by an Act approved April 18, 2002 (Ga. L. 2002, p. 4018), so as to increase
5 the membership of the board to seven members; to provide for the election of the two
6 additional members of the board; to provide for terms of office; to provide for related
7 matters; to provide for submission for preclearance under Section 5 of the federal Voting
8 Rights Act of 1965, as amended; to provide an effective date; to repeal conflicting laws; and
9 for other purposes.

10 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

11 **SECTION 1.**

12 An Act creating the Clayton County Board of Commissioners, approved February 8, 1955
13 (Ga. L. 1955, p. 2064), as amended, particularly by an Act approved February 19, 1992
14 (Ga. L. 1992, p. 4335), by an Act approved March 30, 1993 (Ga. L. 1993, p. 4335), and by
15 an Act approved April 18, 2002 (Ga. L. 2002, p. 4018), is amended by striking subsections
16 (a) and (d) of Section 2 and inserting new subsections (a) and (d) to read as follows:

17 "(a)(1) Board of Commissioners. There is created in and for Clayton County two
18 additional commissioner districts to be added to the four commissioner districts existing
19 on January 1, 2005. These shall be known as Commissioner District 5 and Commissioner
20 District 6, respectively. District 5 shall be a super district comprised of all of District 2
21 and all of District 3. District 6 shall also be a super district comprised of all of District
22 1 and District 4. The commissioners for the newly created District 5 and District 6 shall
23 be elected by qualified voters of the entire county and shall run at large for these seats.
24 The Board of Commissioners of Clayton County which existed on January 1, 2005, is
25 continued in existence but on or after October 1, 2005, shall be constituted as provided
26 in this Act.

(2) The board of commissioners of Clayton County shall consist of a chairman and six commissioners. The chairman and the District 5 and District 6 commissioners shall be elected by the qualified voters of the entire county. With the exception of the chairman and District 5 and District 6 commissioners, each commissioner shall be elected by the qualified voters of one commissioner district. The terms of office of the chairman and commissioners shall be for four years and until their successors are duly elected and qualified. Vacancies on the board shall be filled for the unexpired terms."

"(d) The first commissioners from Commissioner District 5 and District 6 shall be elected in a special election to be held on the third Tuesday in September, 2005, and shall take office on November 1, 2005, and shall serve for initial terms of office which will expire on December 31, 2008, and until their successors are elected and qualified. Successors to such commissioners shall be elected at the November general election immediately preceding the end of each such commissioner's term of office and shall take office on January 1 immediately following such election."

SECTION 2.

Said Act is further amended by striking paragraph (1) of subsection (b) of Section 2 and inserting in lieu thereof a new paragraph (1) to read as follows:

"(1) For the purpose of electing commissioners, Clayton County is divided into six commissioner districts. Commissioner Districts 1, 2, 3, and 4 shall be and correspond to those four numbered districts described in and further identified as Plan Name: Claytonccwk Plan Type: LOCAL User:staff Administrator: CNTY-CLAYTON, and Commissioner Districts 5 and 6 shall be and correspond to those two numbered districts described in and attached to and made a part of this Act and further identified as Plan Name: claytonccsup1 Plan Type: Local User: shantee Administrator: H074."

SECTION 3.

It shall be the duty of the attorney for the governing authority of Clayton County to submit this Act for approval pursuant to Section 5 of the federal Voting Rights Act of 1965, as amended.

SECTION 4.

This Act shall become effective upon its approval by the Governor or upon its becoming law without such approval.

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- SECTION 5.
- All laws and parts of laws in conflict with this Act are repealed.